

REMARKS

Claims 1-18 are pending in this application after this amendment. Claims 1 and 17 are independent. New claim 18 has been added for consideration by the Examiner. No new matter has been added by the addition of new claim 18. Based on the amendments and remarks made herein, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections.

By this amendment, Applicant has amended the claims to more appropriately recite the claimed invention. It is respectfully submitted that these amendments are being made without conceding the propriety of the Examiner's rejection, but merely to timely advance prosecution of the present application.

In the outstanding Official Action, the Examiner rejected claims 1-16 under 35 U.S.C. §112, second paragraph. The Examiner further rejected claims 1-17 under 35 U.S.C. §103(a) as being unpatentable over Barnes (U.S. Patent Application Publication No. 2003/0220835) in view of Iwase et al. (U.S. Patent Application Publication No. 2002/0165803). Applicant respectfully traverses these rejections.

Claim Rejections – 35 U.S.C. §112

The Examiner rejected claims 1-16 based on minor informalities. By this amendment, Applicant has amended the claims to more appropriately recite the claimed invention. Based on these amendments, it is respectfully requested that the outstanding rejection be withdrawn.

Claim Rejections – 35 U.S.C. §103

By this amendment, Applicant has amended claim 1 to recite, *inter alia*, the server comprises a server reception device which receives the desired product information and the customer information from said one of the client computer; a customer information database which stores the desired product information in association with the customer information of each customer; a stock information database which stores stocked product information indicating

stocked products of each shop in association with the shop information of each shop in which the client computer is installed; a retrieving device which retrieves the stocked product information which coincides with the desired product information from the stock information database; and a server transmission device which sends the shop information associated with the retrieved stocked product information which is retrieved by the retrieving device to said one of the client computers.

In contrast, the disclosure of Barnes is directed to a system for providing location based services and mobile e-commerce. One example of such a system employs an ACS designed to coordinate the delivery of advertising and content for the shopping complex. Referring to FIG. 7, the ACS establishes user location information at step 450, determines transmission selection criteria (temporal data, CCD, targeting criteria, etc.) at step 455, and selects and transmits an advertisement at step 460. In addition, in some instances the ACS will receive information relating to the user's response (receipt, viewing, presentation, or action in response) to the transmission at step 465 and perform an incentive transaction at step 470. See [0227]. Thus, Barnes discloses providing product information as advertisement information.

Iwase discloses an information processing system. FIG. 16 shows an example of the structure of the commodity information table 34b in the inventory DB 34. The commodity information table 34b comprises a commodity code, a company name, a commodity name and commodity information. A file name is stored as "commodity information." This file contains guidance information on the commodity. For example, in association with the commodity code "EF23456877", the following information is stored: the company name "A", the commodity name "B" and the commodity information "File product 00001.doc."

FIG. 17 shows an example of the structure of the substitute commodity table 34c in the inventory DB 34. The substitute commodity table 34c is used for providing a customer with information on an equivalent commodity when a commodity (desired commodity) to be purchased by the customer is out of stock. The substitute commodity table 34c comprises a commodity code, a company name, a commodity name, a substitute commodity code, a company

name of a substitute commodity, and a substitute commodity name. Thereby, a customer, who asks for an out-of-stock commodity, may be provided with information on a substitute commodity. In the substitute commodity table 34c, for example, in association with the commodity code "AB55667788" of a commodity to be purchased, the following information is stored: the company name "A", commodity name "B", substitute commodity code "CD56785678", substitute commodity company name "C", and substitute commodity name "D". See [0110]-[0111]. Thus, Iwase discloses providing information on stocks and similar products of a certain product in a particular shop.

However, neither of the cited references teach or suggest the server comprising a server reception device which receives the desired product information and the customer information from said one of the client computer; a retrieving device which retrieves the stocked product information which coincides with the desired product information from the stock information database; and a server transmission device which sends the shop information associated with the retrieved stocked product information which is retrieved by the retrieving device to said one of the client computers., as required by claim 1. As such, it is respectfully submitted that claim 1 is not obvious over the references as cited by the Examiner. It is respectfully requested that the outstanding rejection be withdrawn.

It is respectfully submitted that claims 2-16 are allowable for the reasons set forth above with regard to claim 1 at least based on their dependency on claim 1. It is further respectfully submitted that claim 17 includes elements similar to those discussed above with regard to claim 1 and thus claim 17 is not obvious over the references as cited for the reasons set forth above with regard to claim 1.

In addition, at least dependent claim 15 is separately patentable. The invention of claim 15 requires wherein the server comprises a database management device which **manages terms of validity for the desired product information registered in the customer information database and terms of validity for the stocked product information registered in the stock information database**, respectively, wherein the database management device deletes the

desired product information from the customer information database if the term of validity for the desired product information has expired, and wherein the database management device deletes the stock product information from the stock information database if the term of validity for the stock product information has expired.

The Examiner relies on Iwase to teach these claim elements, citing to the Abstract, paragraph [0075] and [0150]. However, at these citations, Iwase merely discloses a commodity purchase screen where a total is displayed representing a sum price of the purchased commodity.

These teachings are wholly insufficient to teach or suggest managing terms of validity for the desired product information registered in the customer information database. Further, these teachings are wholly insufficient to teach or suggest terms of validity for the stocked product information registered in the stock information database.

Applicant respectfully submits that Iwase fails to cure the deficiencies of the teachings of Barnes and thus, claim 15 is not obvious over the references as cited. It is respectfully requested that the outstanding rejection be withdrawn.

It is respectfully submitted that claim 18 includes elements similar to the elements noted above with regard to claim 15 and thus claim 18 is not obvious over the references as cited by the Examiner. It is respectfully requested that the outstanding rejection be withdrawn.

Conclusion

In view of the above amendment, Applicant believes the pending application is in condition for allowance.


Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinnet Reg. No.

52,327 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: December 1, 2008

Respectfully submitted,

By 
Marc S. Weiner
Registration No.: 32,181
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant